

REMARKS

The Applicant has reviewed the Advisory Action dated January 8, 2008 and the Office Action dated September 5, 2007. Claims 51-70 are all the claims pending in this application. Claims 51, 52, 53, 57, and 64 are amended. It is submitted that the application as submitted is in condition for allowance. Reexamination and reconsideration of the application is respectfully requested.

Claims 51-70 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claims 53 and 60 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 51-70 are rejected as being unpatentable over Uyehara et al. (U.S. 6,154,214) in view of Register (U.S. 5,661,632). Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

112 Rejections

Claims 51-70 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

On page 14 of the Office Action, the Examiner contends that the specification does not describe the recited language related to (1) “at least one of a first length and a second length of the second image is adjusted in size so that the second image is displayed in entirety in the first display area of the display screen” (2) “wherein the first and second display areas are non-overlapping” and (3) “wherein the first image and the second image have approximately same aspect ratio.”

The Advisory Action states that “nowhere in the specification indicated there may be an empty space at the lower end of the image or an empty space at the lower end of the display.” Applicant respectfully disagrees.

Paragraph 0028 recites that “an empty space may be generated on the lower end of the image on the display unit 103, as a result of adjustments made to the image’s dimensions.” Additionally, paragraph 0027 states that the length D corresponds to length A squared divided by length B, and length C corresponds to A. As shown in Fig. 3 and described in paragraph 0024, length B is longer than width A.

For purpose of example, applicant submits the following table to illustrate examples of the new dimensions of an image that is rotated approximately 90° and scaled following the formula presented in paragraph 27. Applicant notes that the lengths given for A, B, C, D, and Empty Space may consist of any unit of measure for the display of a mobile terminal, such as inches, centimeters, or millimeters.

A	B	C	D	EMPTY SPACE
		C = A	D = A ² /B	B - D
5	10	5	2.5	7.5
10	20	10	5	15
15	16	15	14.0625	1.9375
15	18	15	12.5	5.5
20	40	20	10	30

As shown in the table above, whenever an image is rotated approximately 90° and scaled following the formula presented in paragraph 27 there will be an empty space below the rotated image. This point is reiterated in paragraph 0028 which recites that “an empty space may be generated on the lower end of the image on the display unit 103, as a result of adjustments made to the image’s dimensions.”

Additionally, claim 51 has been amended to recite “and wherein the second display area is formed from the empty space created when the first image is rotated at approximately a ninety degree angle and resized to the third image.” Applicant submits that support for the claim amendment is found in the formula given in paragraph 27 in

addition to paragraph 28 reciting that an empty space may be generated on the lower end of the image on the display unit 103.

Therefore, Applicant respectfully submits that an empty space may be rendered on the lower end of the rotated image and the empty space may be construed as a second display area.

With respect to claim 51 reciting the second image comprises a rotated version of the first image relative to the display screen, wherein a width and a height of the second image is adjusted in size so that the second image is displayed in entirety in the first display area of the display screen, Applicant has amended claim 51 to recite “wherein a width or a height of the second image are adjusted in size so that a third image is displayed in entirety in the first display area of the display screen, wherein the third image comprises a scaled version of the second image.” In accordance with the statements made in the Advisory Action, Applicant submits that the amendment to claim 51 overcomes the §112, first paragraph rejection by reciting that the rotated version of the first image is the second image and the second image is adjusted in size to create a third image.

An image that is rotated 90 degrees cannot maintain the same length and width on a screen that has length and width that are different than the rotated image. Therefore, the rotated image will contain some empty space on either the top or bottom. Since the rotated image will contain empty space, the Applicant does not follow the Examiner’s reasoning why any further support is needed for what is inherent in the meaning of a non-overlapping second display area. It is respectfully submitted that the specification discloses that the “the first and second display areas are non-overlapping” as recited in claim 51.

Examiner contends that claim 52 fails to comply with the enabling requirement of 112, first paragraph because paragraphs 0024-0027 of the specification recite that “the aspect ratio of the second image is different from the aspect ratio of the first image.”

Applicant respectfully disagrees. Claim 52 recites that “the first image and the second image have approximately same aspect ratio.” Paragraph 0027 states that “in case that the image of the display unit 103 is rotated by approximately 90°, as shown in FIGS. 3B and 3C, the aspect ratio of the display unit 103 is changed from A:B to C:D in order to prevent the image from being distorted.”

Applicant submits that changing an aspect ration from A:B to C:D is not the same as having a different aspect ratio. For example, a common aspect ratio for photographs is 4:3. The 4:3 aspect ratio is derived from the 1.33:1 aspect ratio. Therefore, an image can have the dimensions of 4:3, 2.66:2, 1.33:1, and still contain the same aspect ratio, even though the values have been changed. It is respectfully submitted that the specification discloses that the “first image and the second image have approximately same aspect ratio,” as recited in claim 52.

With respect to claim 51 reciting “at least one of a first length and a second length of the second image is adjusted in size so that the second image is displayed in entirety in the first display area of the display screen,” claim 51 has been amended to more fully claim the features related to the first and second lengths of the second image when displayed in the first display area of the display screen. Applicant submits that the amendment to claim 51 overcomes the §112, first paragraph rejection by reciting “at least a width or a height of the second image are adjusted in size.”

Finally, claims 57 and 64 recite “at least one of” the width and height of the “second image is adjusted in size for the second image to be displayed in a first display area of the display screen so that the second image has approximately same aspect ratio as the first image.” Claims 57 and 64 have been amended to more particularly claim the features related to the first and second lengths of the second image being adjusted to have approximately the same aspect ratio as the first image. Applicant submits that the amendments to claims 57 and 64 overcomes the §112, first paragraph, rejections.

Respectfully, the Examiner has misinterpreted the requirements of §112 in rejecting the claims. Pursuant to MPEP §2163 (II) (A) and §2163.04, the Examiner is requested to present “evidence or reasoning to explain why persons skilled in the art would not recognize in the disclosure a description of the invention defined by the claims,”¹ or otherwise withdraw the rejection.

Claims 53 and 50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Examiner contends that claim 53 recites “the first length of the third image is approximately equal to a first length of the display screen, and the second length of the third image is approximately equal to square of the first length of the display screen divided by a second length of the display screen.” Examiner further contends that claim 53 is contradicted by the limitation of claim 52 which recites “first image and the second image have approximately same aspect ratio.” Applicant respectfully disagrees.

Applicant has demonstrated above how the aspect ratio can remain the same even though the dimensions of an image may change. Applicant respectfully submits that elements recited in claim 53 do not contradict the elements recited in claim 52. Although claim 53 changes the dimensions of the second image, the aspect ratio is still approximately the same as that of the first image.

For example, as previously stated, a common aspect ratio for photographs is 4:3. The 4:3 aspect ratio is derived from the 1.33:1 aspect ratio. Therefore, an image can have the dimensions of 4:3, 2.66:2, 1.33:1, and still contain the same aspect ratio, even though the values have been changed. Thus claim 53 should be allowable. Claim 60 should be allowable for the same reasons discussed in regards to claim 53. For the above reasons,

¹ MPEP § 2163.04 “If applicant ... points out where and/or how the originally filed disclosure supports the amendment(s), and the examiner finds that the disclosure does not reasonably convey that the inventor had possession of the subject matter of the amendment at the time of the filing of the application, the examiner has the initial burden of presenting evidence or reasoning to explain why persons skilled in the art would not recognize in the disclosure a description of the invention defined by the claims.”).

Applicant respectfully requests that the 112 grounds of rejection under both the first and the second paragraph to be withdrawn.

§103 Rejections:

Claims 51-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uyehara in view of Register.

As amended, claim 51 recites a method of controlling image display on a hand-held mobile communication terminal, “wherein the second image comprises a rotated version of the first image relative to the display screen, wherein a first length or a second length of the second image are adjusted in size so that a third image is displayed in entirety in the first display area of the display screen, wherein the third image comprises a scaled version of the second image, and wherein the third image is a scaled and rotated version of the first image in its entirety.

As mentioned in the previous response to office action dated December 5, 2007, it is respectfully submitted that, Figs. 17-18 do not disclose all of the elements of claim 51. Fig. 17 of Uyehara, discloses text displayed on a mobile device. Specifically, the last line of the text shows “places is built upon the idea of a virtual meeting place – a space on the.” Fig. 18 of Uyehara, also discloses text displayed on a mobile device. Specifically, the last line of text shows “places is built upon the idea of a virtual meeting place – a space on the desktop where users can share information and.” (Emphasis Added).

Applicant submits that Fig. 18 displays seven words which are not displayed in Fig. 17. Specifically, Fig. 18 displays the words “desktop where users can share information and.” Since Fig. 17 does not display the same image as Fig. 18, the image shown in Fig. 17 is not the image of Fig. 18 in its **entirety**. In order to teach that Fig. 17 is a rotated and scaled version of Fig. 18 in its entirety, Fig. 17 **must show every word** displayed in Fig. 18. Therefore, as shown in Figs. 17-18, Uyehara does not teach “wherein the second image comprises a rotated version of the first image relative to the display

screen, wherein a first length or a second length of the second image are adjusted in size so that a third image is displayed in entirety in the first display area of the display screen, wherein the third image comprises a scaled version of the second image, and wherein the third image is a scaled and rotated version of the first image in its entirety,” as recited in claim 51.

Referring to the secondary reference Register, Register teaches a handheld computer that selectively rotates, “through an angle of 90 degrees, the orientation of data generated on the screen so that in either of the first and second housing use orientations the screen data is in an upright viewing orientation relative to the user of the computer.” (Register, Abstract). Applicant submits that Register does not cure the stated deficiencies of Uyehara with respect to “wherein the third image is a scaled and rotated version of the first image in its entirety,” as recited in claim 51. Accordingly, even if one of ordinary skill were to combine these references in the manner alleged, the resulting system would not teach all of the elements of independent claim 51. Applicant further submits that independent claims 57 and 64 recite elements similar to claim 51. Specifically, claims 57 and 64 recite “wherein the second image is a scaled and rotated version of the first image in its entirety.” Therefore, claims 57 and 64 should be allowable for the reasons presented with respect to claim 51. Additionally, claims 52-56, 58-63, and 65-70, should be allowable by virtue of their dependency on allowable independent claims 51, 57, and 64.

Conclusion

In light of the above remarks, Applicant submits that the present Amendment places all claims of the application in condition for allowance. Reconsideration of the application is requested.

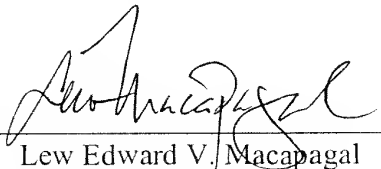
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

Lee, Hong, Degerman, Kang & Schmadeka

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Customer No. 035884

By: 
Lew Edward V. Macapagal
Registration No. 55,416
Attorney for Applicant